IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

TEAMSTERS JOINT COUNCIL NO. 83 OF VIRGINIA PENSION FUND *et al.*,

Plaintiffs,

v. **Civil Action No. 3:08cv340 (HEH)**

EMPIRE BEEF CO., INC. and WEIDNER REALTY ASSOCIATES

Defendants.

NOTICE OF APPEAL

Plaintiffs Teamsters Joint Council No. 83 of Pension Fund ("Pension Fund") and its Trustees, by their undersigned counsel, notices its appeal to the Court of Appeals for the Fourth Circuit from the the portions of the Decision and Order of the Court issued on June 18, 2009 dismissing the Pension Fund's claim against Defendant Weidner Realty Associates and refusing to void, for purposes of the Pension Fund's withdrawal liability claim, the Composition Agreement transferring assets from Empire Beef to Sidney Levine.

Respectfully submitted,

/s/ Justin P. Keating

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Counsel for the Plaintiffs

July 8, 2009

CERTIFICATE OF SERVICE

______I hereby certify that on the 8th July, 2009, I filed the enclosed Plaintiffs' Notice of Appeal with the Court's ECF system. Notice will be electronically served on counsel for the Defendants:

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